

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CAREER COLLEGES & SCHOOLS
OF TEXAS,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
EDUCATION; MIGUEL CARDONA,
in his official capacity as the Secretary
of Education,

Defendants.

Case No. 1:23-cv-00433-RP

**PLAINTIFF'S WITNESS LIST FOR THE
MAY 31, 2023 PRELIMINARY INJUNCTION HEARING**

No. 1	Mark Dreyfus	Fact Witness	<p>Mark Dreyfus is President of ECPI University. Mr. Dreyfus will be testifying in lieu of declarant Jeff Arthur, VP Regulatory Affairs & Chief Information Officer at ECPI University, who is unavailable to testify on the date of the hearing.</p> <p>Mr. Dreyfus’s testimony will be limited to the topics in the Declaration of Jeff Arthur (Dkt. 25, App-37—46). In particular, Mr. Dreyfus will testify about ECPI University, including its San Antonio campus, its educational offerings, and the harm ECPI University has suffered and will suffer as a result of the Rule, as described in the Declaration of Jeff Arthur.</p>
No. 2	Diane Auer Jones	Expert Witness	<p>Diane Auer Jones has worked in higher education for thirty years. During the George W. Bush Administration, she served as Senate-confirmed Assistant Secretary for Postsecondary Education, and as Principal Deputy Under Secretary, Delegated the Functions and Duties of the Under Secretary, during the Trump Administration.</p> <p>Ms. Jones’s testimony will be limited to the topics in her declaration (Dkt. 25, App-1—14). In particular, Ms. Jones will testify about her experience, the function and practice of borrower defense regulations, generally, and the harmful impact of the Rule on higher education institutions and their students, as described in her declaration.</p>

Although Plaintiff does not intend to present any additional exhibits at the May 31, 2023 hearing, Plaintiff reserves the right to rely on and, where appropriate, present those documents already submitted in connection with or otherwise referenced in the Complaint (Dkt. No. 1), Motion for Preliminary Injunction, Brief in Support Thereof, and Appendix Thereto (Dkt. Nos. 23, 24, and 25), and Opposition to Motion to Exclude Declaration of Diane Auer Jones (Dkt. No. 63). Plaintiff further reserves the right to supplement or amend this witness list or exhibit list at any time prior to the hearing.

Dated: May 24, 2023

/s Philip Vickers

Philip Vickers
Texas Bar No. 24051699
Katherine Hancock
Texas Bar No. 24106048
CANTEY HANGER LLP
600 West 6th Street, Suite 300
Fort Worth, TX 76102
pvickers@canteyhanger.com
(817) 877-2800

/s Allyson B. Baker

Allyson B. Baker (*pro hac vice*)
Stephen Kinnaird (*pro hac vice*)
Michael Murray (*pro hac vice*)
Sameer P. Sheikh (*pro hac vice*)
Tor Tarantola (*pro hac vice*)
PAUL HASTINGS LLP
2050 M Street NW
Washington, DC 20037
allysonbaker@paulhastings.com
(202)-551-1830

*Counsel for Plaintiff
Career Colleges & Schools of Texas*

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2023, a true and correct copy of the foregoing document was served upon all counsel of record in this action via the Court's CM/ECF system.

/s Allyson B. Baker

Allyson B. Baker

Attorney for Plaintiff CCST